



General Assembly

February Session, 2000

Raised Bill No. 554

LCO No. 2349

Referred to Committee on Public Safety

Introduced by:
(PS)

An Act Providing For A Single State Permit To Carry Pistols Or Revolvers.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-28 of the general statutes, as amended by
2 section 19 of public act 99-212, is repealed and the following is
3 substituted in lieu thereof:

4 (a) No person who sells ten or more pistols or revolvers in a
5 calendar year or is a federally-licensed firearm dealer shall advertise,
6 sell, deliver, or offer or expose for sale or delivery, or have in [his] such
7 person's possession with intent to sell or deliver, any pistol or revolver
8 at retail without having a permit therefor issued as [hereinafter]
9 provided in this subsection. The chief of police or, where there is no
10 chief of police, the warden of the borough or the first selectman of the
11 town, as the case may be, may, upon the application of any person,
12 issue a permit in such form as may be prescribed by the Commissioner
13 of Public Safety for the sale at retail of pistols and revolvers within the
14 jurisdiction of the authority issuing such permit. No permit for the sale
15 at retail of any pistol or revolver shall be issued unless the applicant
16 holds a valid eligibility certificate for a pistol or revolver issued

17 pursuant to section 29-36f, as amended, or a valid state permit to carry
18 a pistol or revolver issued pursuant to subsection (b) of this section
19 and the applicant submits documentation sufficient to establish that
20 local zoning requirements have been met for the location where the
21 sale is to take place except that any person selling or exchanging a
22 pistol or revolver for the enhancement of a personal collection or for a
23 hobby or who sells all or part of [his] such person's personal collection
24 of pistols or revolvers shall not be required to submit such
25 documentation for the location where the sale or exchange is to take
26 place.

27 (b) Upon the application of any person having a bona fide residence
28 or place of business within the jurisdiction of any such authority, [or
29 upon the application of any bona fide resident of the United States
30 having a permit or license to carry any firearm issued by the authority
31 of any state or subdivision of the United States,] such chief of police,
32 warden or selectman may issue a temporary state permit to such
33 person to carry a pistol or revolver within the [jurisdiction of the
34 authority issuing the same] state, provided such authority shall find
35 that such applicant intends to make no use of any pistol or revolver
36 which such applicant may be permitted to carry [thereunder] under
37 such permit other than a lawful use and that such person is a suitable
38 person to receive such permit. No state permit to carry a pistol or
39 revolver shall be issued under this subsection if the applicant (1) has
40 failed to successfully complete a course approved by the
41 Commissioner of Public Safety in the safety and use of pistols and
42 revolvers including, but not limited to, a safety or training course in
43 the use of pistols and revolvers available to the public offered by a law
44 enforcement agency, a private or public educational institution or a
45 firearms training school, utilizing instructors certified by the National
46 Rifle Association or the Department of Environmental Protection and a
47 safety or training course in the use of pistols or revolvers conducted by
48 an instructor certified by the state or the National Rifle Association, (2)
49 has been convicted of a felony or of a violation of subsection (c) of
50 section 21a-279, section 53a-58, 53a-61, 53a-61a, as amended, 53a-62,

51 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d, (3) has been
 52 convicted as delinquent for the commission of a serious juvenile
 53 offense, as defined in section 46b-120, (4) has been discharged from
 54 custody within the preceding twenty years after having been found
 55 not guilty of a crime by reason of mental disease or defect pursuant to
 56 section 53a-13, (5) has been confined in a hospital for persons with
 57 psychiatric disabilities, as defined in section 17a-495, within the
 58 preceding twelve months by order of a probate court, (6) is subject to a
 59 restraining or protective order issued by a court in a case involving the
 60 use, attempted use or threatened use of physical force against another
 61 person, (7) is subject to a firearms seizure order issued pursuant to
 62 subsection (d) of section 18 of [this act] public act 99-212 after notice
 63 and hearing, [or] (8) is an alien illegally or unlawfully in the United
 64 States, or (9) is less than twenty-one years of age. Nothing in this
 65 section shall require any person who holds a valid permit to carry a
 66 pistol or revolver on October 1, 1994, to participate in any additional
 67 training in the safety and use of pistols and revolvers. Upon issuance
 68 of a temporary state permit to the applicant, the local authority shall
 69 forward the original application to the commissioner. Said
 70 commissioner may [, upon application,] then issue, to any holder of
 71 any [such] temporary state permit, a state permit to carry a pistol or
 72 revolver within the state. Each state permit to carry any pistol or
 73 revolver shall be issued in triplicate and one of the copies issued by
 74 said commissioner shall be delivered to the person to whom issued,
 75 one shall be delivered [forthwith] to the authority issuing the local
 76 permit and one shall be retained by said commissioner. [, and the local
 77 authority issuing any such permit shall forthwith deliver one of such
 78 copies to the person to whom issued and one copy to said
 79 commissioner and shall retain one of such copies.] The copy of the
 80 state permit delivered to the permittee shall be laminated and shall
 81 contain a full-face photograph of such permittee. A person holding a
 82 state permit issued pursuant to this subsection shall notify the issuing
 83 authority within two business days of any change of such person's
 84 address. The notification shall include the old address and the new

85 address of such person.

86 (c) No issuing authority may require any sworn member of the
87 Department of Public Safety or an organized local police department to
88 furnish [his] such sworn member's residence address in a permit
89 application. The issuing authority shall allow each such sworn
90 member who has a permit to carry a pistol or revolver on May 26,
91 1992, issued by such authority, to revise [his] such member's
92 application to include [his] a business or post office address in lieu of
93 [his] the residence address. The issuing authority shall notify each such
94 member of [his] the member's right to revise such application.

95 (d) Notwithstanding the provisions of sections 1-210, as amended,
96 and 1-211, the name and address of a person issued a permit to sell at
97 retail pistols and revolvers pursuant to subsection (a) of this section or
98 a state permit to carry [pistols and revolvers] a pistol or revolver
99 pursuant to subsection (b) of this section, shall be confidential and
100 shall not be disclosed, except (1) such information may be disclosed to
101 law enforcement officials acting in the performance of their duties, (2)
102 [an] the issuing authority may disclose such information to the extent
103 necessary to comply with a request made pursuant to section 29-33, as
104 amended, for verification that such state permit is still valid and has
105 not been suspended or revoked, and (3) such information may be
106 disclosed to the Commissioner of Mental Health and Addiction
107 Services to carry out the provisions of subsection (c) of section 17a-500.

108 (e) The issuance of a state permit to carry a pistol or revolver under
109 subsection (b) of this section does not thereby authorize the possession
110 or carrying of a pistol or revolver in any premises where the
111 possession or carrying of a pistol or revolver is otherwise prohibited
112 by law or is prohibited by the person who owns or exercises control
113 over such premises.

114 (f) Any bona fide resident of the United States having no bona fide
115 residence or place of business within the jurisdiction of any local
116 authority in the state, but who has a permit or license to carry a pistol

117 or revolver issued by the authority of another state or subdivision of
118 the United States, may apply directly to the Commissioner of Public
119 Safety for a state permit to carry a pistol or revolver in the state. All
120 provisions of subsections (b), (c), (d) and (e) of this section shall apply
121 to applications for a state permit received by the commissioner under
122 this subsection.

123 Sec. 2. Section 29-28a of the general statutes is repealed and the
124 following is substituted in lieu thereof:

125 (a) Requests for permits under section 29-28, as amended by this act,
126 shall be submitted to the [issuing authority] chief of police, or, where
127 there is no chief of police, to the warden of the borough or the first
128 selectman of the town, as the case may be, on application forms
129 prescribed by the Commissioner of Public Safety. Upon written
130 request by any person for a state permit not on a prescribed
131 application form, or upon request by any person for such application
132 form, the [issuing] local authority shall supply such forms. When any
133 such request is made in person at the office of the [issuing] local
134 authority, the local authority shall supply such application form
135 immediately. When any such request is made in any other manner, the
136 local authority shall supply such application form not later than one
137 week after receiving such request. If such application form is not
138 supplied within the time [limited] limits required by this section, the
139 request therefor shall constitute a sufficient application. If any [issuing]
140 local authority fails to supply an application form upon the request of
141 any person, such person may request an application form from the
142 Commissioner of Public Safety or any barracks of the Division of State
143 Police, and the time limits and procedures set forth in this section for
144 handling requests for such forms shall be applicable.

145 (b) The [issuing] local authority shall, not later than eight weeks
146 after a sufficient application for a permit has been made, inform the
147 applicant that [his] the applicant's request for a temporary state permit
148 has been approved or denied. The local authority shall forward a copy

149 of the application indicating approval or denial to the Commissioner of
150 Public Safety. If grounds for denial become known after a temporary
151 state permit has been issued, the commissioner may institute
152 revocation proceedings.

153 Sec. 3. Section 29-29 of the general statutes is repealed and the
154 following is substituted in lieu thereof:

155 No temporary state permit for carrying any pistol or revolver shall
156 be issued under the provisions of section 29-28, as amended by this act,
157 unless the applicant for the same gives to the [issuing] local authority,
158 upon its request, full information concerning [his] the applicant's
159 criminal record, and such [issuing] local authority shall thereupon take
160 a full description of such applicant and make an investigation
161 concerning [his] the applicant's suitability to carry any such weapons.
162 The [issuing] local authority shall take the fingerprints of such
163 applicant unless the [issuing] local authority determines that the
164 fingerprints of such applicant have been previously taken and [his] the
165 applicant's identity established and such applicant presents
166 identification that the [issuing] local authority verifies as valid. The
167 [issuing] local authority shall record the date the fingerprints were
168 taken in the applicant's file and, within five business days of such date,
169 shall forward such fingerprints to the Commissioner of Public Safety
170 who shall forward them to the Federal Bureau of Investigation for a
171 national criminal history records check. The [issuing] local authority
172 may, in [his] its discretion, issue [such] a temporary state permit before
173 a report from said bureau relative to such applicant's record has been
174 received. Upon receipt of such report, the [issuing] local authority shall
175 inform the applicant and render a decision on the application within
176 one week of the receipt of the report. If such report has not been
177 received within eight weeks after a sufficient application for a state
178 permit has been made, the [issuing] local authority shall inform the
179 applicant of such delay, in writing. No temporary state permit shall be
180 issued if the [issuing] local authority has reason to believe the
181 applicant has ever been convicted of a felony or that any other

182 condition exists for which the issuance of a permit or the possession of
183 a pistol or revolver is prohibited under state or federal law.

184 Sec. 4. Section 29-30 of the general statutes, as amended by section
185 11 of public act 99-212, is repealed and the following is substituted in
186 lieu thereof:

187 (a) The fee for each permit originally issued under the provisions of
188 subsection (a) of section 29-28, as amended by this act, for the sale at
189 retail of pistols and revolvers shall be one hundred dollars and for
190 each renewal thereof one hundred dollars. The fee for each permit
191 originally issued under the provisions of subsection (b) of section 29-
192 28, as amended by this act, for the carrying of pistols and revolvers
193 shall be [thirty-five dollars and for each renewal thereof thirty-five
194 dollars. Such fees shall be paid to the authority issuing the same and
195 by such authority to the municipality wherein issued or the state, as
196 the case may be] seventy dollars plus sufficient funds as required to be
197 transmitted to the Federal Bureau of Investigation to cover the cost of a
198 national criminal history records check. Thirty-five dollars shall be
199 retained by the chief of police or, where there is no chief of police, the
200 warden of the borough or the first selectman of the town, as the case
201 may be, and thirty-five dollars shall be sent to the Commissioner of
202 Public Safety. The local authority shall forward the fingerprints and
203 sufficient funds for the national criminal history records check to the
204 commissioner no later than five days after receipt of the application.
205 Upon approving the application for a temporary state permit, the local
206 authority shall forward the approved application to the commissioner
207 along with the thirty-five dollar fee. The fee to renew each state permit
208 originally issued under the provisions of subsection (b) of section 29-
209 28, as amended by this act, shall be thirty-five dollars. Upon deposit of
210 such fees in the General Fund, ten dollars of each fee shall be credited
211 within thirty days to the appropriation for the Department of Public
212 Safety to a separate nonlapsing account for the purposes of the
213 issuance of permits under subsections (a) and (b) of section 29-28, as
214 amended by this act.

215 (b) A local permit originally issued before the effective date of this
216 act under the provisions of section 29-28, as amended by this act,
217 whether for the sale at retail of pistols and revolvers or for the carrying
218 of pistols and revolvers, shall expire five years after the date it becomes
219 effective and each renewal thereof shall expire five years after the
220 expiration date of the permit being renewed. On and after the effective
221 date of this act, no such local permit shall be renewed, but permittees
222 may apply for a state permit.

223 (c) A state permit originally issued under the provisions of section
224 29-28, as amended by this act, for the carrying of pistols and revolvers
225 shall expire five years after the date [it] such permit becomes effective
226 and each renewal thereof shall expire five years after the expiration
227 date of the state permit being renewed and such renewal shall not be
228 contingent on the renewal or issuance of a local permit. A temporary
229 state permit issued for the carrying of pistols and revolvers shall expire
230 sixty days after the date it becomes effective and shall not be renewed.

231 (d) The renewal fee required under subsection (a) of this section
232 shall apply for each renewal which is requested not earlier than thirty-
233 one days before, and not later than thirty-one days after, the expiration
234 date of the state permit being renewed.

235 (e) No fee or portion thereof paid under the provisions of this
236 section for issuance or renewal of a state permit shall be refundable
237 except if [the] such permit for which the fee or portion thereof was
238 paid was not issued or renewed. The portion of the fee expended on
239 the national criminal history records check for any such permit that
240 was not issued or renewed shall not be refunded.

241 (f) The issuing authority shall send a notice of the expiration of a
242 state permit to carry a pistol or revolver, issued pursuant to section 29-
243 28, as amended by this act, to the holder of such permit, by first class
244 mail, not less than ninety days before such expiration, and shall
245 enclose [therein] with such notice a form for the renewal of said state
246 permit. A state permit to carry a pistol or revolver, issued pursuant to

247 section 29-28, as amended by this act, shall be valid for a period of
248 ninety days [from] after the expiration date, except this provision shall
249 not apply to any state permit to carry a pistol or revolver which has
250 been revoked or for which revocation is pending, pursuant to section
251 29-32, as amended by this act.

252 Sec. 29-31 of the general statutes is repealed and the following is
253 substituted in lieu thereof:

254 No sale of any pistol or revolver shall be made except in the room,
255 store or place described in the permit for the sale of pistols and
256 revolvers, and such permit or a copy thereof certified by the authority
257 issuing the same shall be exposed to view within the room, store or
258 place where pistols or revolvers are sold or offered or exposed for sale,
259 and no sale or delivery of any pistol or revolver shall be made unless
260 the purchaser or person to whom the same is to be delivered is
261 personally known to the vendor of such pistol or revolver or the
262 person making delivery thereof or unless the person making such
263 purchase or to whom delivery thereof is to be made provides evidence
264 of [his] such person's identity. [The vendor of any pistol or revolver
265 shall keep a record of each pistol or revolver sold in a book kept for
266 that purpose, which record shall be in such form as is prescribed by the
267 Commissioner of Public Safety and shall include the date of the sale,
268 the caliber, make, model and manufacturer's number of such pistol or
269 revolver and the name, address and occupation of the purchaser
270 thereof, and shall be signed by the purchaser and by the person
271 making the sale, each in the presence of the other, and shall be
272 preserved by the vendor of such pistol or revolver for at least six
273 years.]

274 Sec. 6. Section 29-32 of the general statutes is repealed and the
275 following is substituted in lieu thereof:

276 Any state permit for the carrying of any pistol or revolver may be
277 revoked by the [authority issuing the same] Commissioner of Public
278 Safety for cause and shall be revoked by the [authority issuing the

279 same] commissioner upon conviction of the holder of such permit of a
 280 felony or of any misdemeanor specified in subsection (b) of section 29-
 281 28, as amended by this act, or upon the occurrence of any event which
 282 would have disqualified the holder from being issued the state permit
 283 pursuant to subsection (b) of section 29-28, as amended by this act. For
 284 the purposes of this section, "conviction" means the entry of a
 285 judgment of conviction by any court of competent jurisdiction. Upon
 286 the revocation of any state permit, the person whose state permit is
 287 revoked shall be notified in writing and such state permit shall be
 288 forthwith delivered to the [authority issuing the same. Upon the
 289 revocation of any local permit, the authority issuing the same shall
 290 forthwith notify the Commissioner of Public Safety and, upon the
 291 revocation of any permit issued by said commissioner, he shall
 292 forthwith notify the authority issuing such local permit, if any, which
 293 the records of said commissioner show as having issued a currently
 294 valid permit to the holder of the revoked state permit] commissioner.
 295 Any law enforcement authority shall confiscate and immediately
 296 forward to the commissioner any state permit that is illegally
 297 possessed by any person. The commissioner may revoke the state
 298 permit based upon the commissioner's own investigation or upon the
 299 request of any law enforcement agency. Any person who fails to
 300 surrender such state permit within five days of notification in writing
 301 of revocation thereof shall be guilty of a class C misdemeanor.

302 Sec. 7. Section 29-35 of the general statutes, as amended by section 2
 303 of public act 99-212, is repealed and the following is substituted in lieu
 304 thereof:

305 (a) No person shall carry any pistol or revolver upon one's person,
 306 except when such person is within the dwelling house or place of
 307 business of such person, without a permit to carry the same issued as
 308 provided in section 29-28, as amended by this act. The provisions of
 309 this subsection shall not apply to the carrying of any pistol or revolver
 310 by any sheriff, parole officer or peace officer of this state, or sheriff,
 311 parole officer or peace officer of any other state while engaged in the

312 pursuit of official duties, or federal marshal or federal law enforcement
313 agent, or to any member of the armed forces of the United States, as
314 defined by section 27-103, as amended, or of this state, as defined by
315 section 27-2, when on duty or going to or from duty, or to any member
316 of any military organization when on parade or when going to or from
317 any place of assembly, or to the transportation of pistols or revolvers
318 as merchandise, or to any person transporting any pistol or revolver
319 while contained in the package in which it was originally wrapped at
320 the time of sale and while transporting the same from the place of sale
321 to the purchaser's residence or place of business, or to any person
322 removing such person's household goods or effects from one place to
323 another, or to any person while transporting any such pistol or
324 revolver from such person's place of residence or business to a place or
325 individual where or by whom such pistol or revolver is to be repaired
326 or while returning to such person's place of residence or business after
327 the same has been repaired, or to any person transporting a pistol or
328 revolver in or through the state for the purpose of taking part in
329 competitions, taking part in formal pistol or revolver training,
330 repairing such pistol or revolver or attending any meeting or
331 exhibition of an organized collectors' group if such person is a bona
332 fide resident of the United States and is permitted to possess and carry
333 a pistol or revolver in the state or subdivision of the United States in
334 which such person resides, or to any person transporting a pistol or
335 revolver to and from a testing range at the request of the issuing
336 authority, or to any person transporting an antique pistol or revolver,
337 as defined in section 29-33, as amended. For the purposes of this
338 subsection, "formal pistol or revolver training" means pistol or
339 revolver training at a locally approved or permitted firing range or
340 training facility, and "transporting a pistol or revolver" means
341 transporting a pistol or revolver that is unloaded and, if such pistol or
342 revolver is being transported in a motor vehicle, is not readily
343 accessible or directly accessible from the passenger compartment of the
344 vehicle or, if such pistol or revolver is being transported in a motor
345 vehicle that does not have a [passenger compartment, is] compartment

346 separate from the passenger compartment, such pistol or revolver shall
347 be contained in a locked container other than the glove compartment
348 or console. Nothing in this section shall be construed to prohibit the
349 carrying of a pistol or revolver during formal pistol or revolver
350 training or repair.

351 (b) The holder of a state permit issued pursuant to section 29-28, as
352 amended by this act, shall carry such state permit upon one's person
353 while carrying such pistol or revolver.

354 Sec. 8. (NEW) (a) Any person in possession of firearms that are lost
355 or stolen shall report such loss or theft to the police department in the
356 jurisdiction where the loss or theft took place within twenty-four hours
357 of such time when such person knew or should have known of the loss
358 or theft.

359 (b) Any person who fails to make the report required by this section
360 shall be fined not more than two thousand dollars or imprisoned not
361 more than one year or both. Any person who fails more than once to
362 make the report required by this section, or who falsely reports such
363 loss or theft shall be fined not more than five thousand dollars or
364 imprisoned not more than five years or both.

365 Sec. 9. (NEW) (a) No person, firm or corporation shall sell, deliver,
366 or otherwise transfer at retail any firearm unless such person, firm or
367 corporation holds a state firearms dealer's license and a federal
368 firearms license.

369 (b) Any person, firm or corporation, licensed by the Federal Bureau
370 of Alcohol, Tobacco and Firearms as a firearms dealer in Connecticut
371 shall, within ninety days of the effective date of this act, apply to the
372 Commissioner of Public Safety on forms prescribed by such
373 commissioner for a state firearms dealer's license. Any new federal
374 licensee, upon receipt of such licensee's federal firearms dealer's
375 license, shall immediately apply to the commissioner for a state
376 firearms dealer's license. Such application shall include the name of

377 the licensee and all corporate officials, the business address and
378 mailing address if different from the business address, the business
379 name, phone number and a copy of the licensee's federal firearms
380 dealer's license.

381 (c) Any person, firm or corporation holding a state firearms dealer's
382 license shall notify the commissioner within forty-eight hours of any
383 change in the information required under subsection (b) of this section.

384 (d) The state firearms dealer's license shall have the same expiration
385 date as the licensee's federal firearms dealer's license, and shall be
386 renewed at the same time as the federal firearms dealer's license. The
387 state firearms dealer's license of a licensee shall be void and shall be
388 surrendered to the commissioner upon revocation, surrender or non-
389 renewal of such licensee's federal firearms dealer's license. Any
390 person, firm or corporation who fails to obtain a state firearms dealer's
391 license shall be fined not more than five thousand dollars or
392 imprisoned not more than five years or both for each separate sale of a
393 firearm.

394 (e) No fee shall be charged for the state firearms dealer's license.

Statement of Purpose:

To provide for a single state permit to carry pistols or revolvers and to make various changes to the statutes governing the possession and sale of firearms.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]